

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To amend title II of the Social Security Act to improve social security benefits for widows and widowers in two-income households, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title II of the Social Security Act to improve social security benefits for widows and widowers in two-income households, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “**Strengthening Social**
5 **Security for Working Families Act**”.

1 **SEC. 2. IMPROVING SOCIAL SECURITY BENEFITS FOR WID-**
2 **OWS AND WIDOWERS IN TWO-INCOME HOUSE-**
3 **HOLDS.**

4 (a) IN GENERAL.—

5 (1) WIDOWS.—Section 202(e) of the Social Se-
6 curity Act (42 U.S.C. 402(e)) is amended—

7 (A) in paragraph (1)—

8 (i) in subparagraph (B), by inserting
9 “and” at the end;

10 (ii) in subparagraph (C)(iii), by strik-
11 ing “and” at the end;

12 (iii) by striking subparagraph (D);

13 (iv) by redesignating subparagraphs
14 (E) and (F) as subparagraphs (D) and
15 (E), respectively; and

16 (v) in the flush matter following sub-
17 paragraph (E)(ii), as so redesignated, by
18 striking “or becomes entitled to an old-age
19 insurance benefit” and all that follows
20 through “such deceased individual,”;

21 (B) by striking subparagraph (A) in para-
22 graph (2) and inserting the following:

23 “(2)(A) Except as provided in subsection
24 (k)(5), subsection (q), and subparagraph (D) of this
25 paragraph, such widow’s insurance benefit for each
26 month shall be equal to the greater of—

1 “(i) the primary insurance amount (as
2 determined for purposes of this subsection
3 after application of subparagraphs (B) and
4 (C)) of such deceased individual, or

5 “(ii) subject to paragraph (9), in the
6 case of a fully insured widow or surviving
7 divorced wife, 75 percent of the sum of any
8 old-age or disability insurance benefit for
9 which the widow or the surviving divorced
10 wife is entitled for such month and the pri-
11 mary insurance amount (as determined for
12 purposes of this subsection after applica-
13 tion of subparagraphs (B) and (C)) of such
14 deceased individual.”;

15 (C) in paragraph (5)—

16 (i) in subparagraph (A), by striking
17 “paragraph (1)(F)” and inserting “para-
18 graph (1)(E)”; and

19 (ii) in subparagraph (B), by striking
20 “paragraph (1)(F)(i)” and inserting
21 “paragraph (1)(E)(i)”; and

22 (D) by adding at the end the following:

23 “(9) For purposes of paragraph (2)(A)(ii), the
24 amount determined under such paragraph shall not

1 exceed the primary insurance amount for such
2 month of a hypothetical individual—

3 “(A) who became entitled to old-age insur-
4 ance benefits upon attaining early retirement
5 age during the month in which the deceased in-
6 dividual referred to in paragraph (1) became
7 entitled to old-age or disability insurance bene-
8 fits, or died (before becoming entitled to such
9 benefits), and

10 “(B) to whom wages and self-employment
11 income were credited in each of such hypo-
12 thetical individual’s elapsed years (within the
13 meaning of section 215(b)(2)(B)(iii)) in an
14 amount equal to the national average wage
15 index (as described in section 209(k)(1)) for
16 each such year.”.

17 (2) WIDOWERS.—Section 202(f) of the Social
18 Security Act (42 U.S.C. 402(f)) is amended—

19 (A) in paragraph (1)—

20 (i) in subparagraph (B), by inserting
21 “and” at the end;

22 (ii) in subparagraph (C)(iii), by strik-
23 ing “and” at the end;

24 (iii) by striking subparagraph (D);

1 (iv) by redesignating subparagraphs
2 (E) and (F) as subparagraphs (D) and
3 (E), respectively; and

4 (v) in the flush matter following sub-
5 paragraph (E)(ii), as so redesignated, by
6 striking “or becomes entitled to an old-age
7 insurance benefit” and all that follows
8 through “such deceased individual,”;

9 (B) by striking subparagraph (A) in para-
10 graph (2) and inserting the following:

11 “(2)(A) Except as provided in subsection
12 (k)(5), subsection (q), and subparagraph (D) of this
13 paragraph, such widower’s insurance benefit for
14 each month shall be equal to the greater of—

15 “(i) the primary insurance amount (as
16 determined for purposes of this subsection
17 after application of subparagraphs (B) and
18 (C)) of such deceased individual, or

19 “(ii) subject to paragraph (9), in the
20 case of a fully insured widower or surviving
21 divorced husband, 75 percent of the sum of
22 any old-age or disability insurance benefit
23 for which the widower or the surviving di-
24 vorced husband is entitled for such month
25 and the primary insurance amount (as de-

1 terminated for purposes of this subsection
2 after application of subparagraphs (B) and
3 (C)) of such deceased individual.”;
4 (C) in paragraph (5)—

5 (i) in subparagraph (A), by striking
6 “paragraph (1)(F)” and inserting “para-
7 graph (1)(E)”;

8 (ii) in subparagraph (B), by striking
9 “paragraph (1)(F)(i)” and inserting
10 “paragraph (1)(E)(i)”;

11 (D) by adding at the end the following:

12 “(9) For purposes of paragraph (2)(A)(ii), the
13 amount determined under such paragraph shall not
14 exceed the primary insurance amount for such
15 month of a hypothetical individual—

16 “(A) who became entitled to old-age insur-
17 ance benefits upon attaining early retirement
18 age during the month in which the deceased in-
19 dividual referred to in paragraph (1) became
20 entitled to old-age or disability insurance bene-
21 fits, or died (before becoming entitled to such
22 benefits), and

23 “(B) to whom wages and self-employment
24 income were credited in each of such hypo-
25 thetical individual’s elapsed years (within the

1 meaning of section 215(b)(2)(B)(iii)) in an
2 amount equal to the national average wage
3 index (as described in section 209(k)(1)) for
4 each such year.”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 this section shall apply with respect to widow’s and wid-
7 ower’s insurance benefits payable for months after Decem-
8 ber 2023.